

## **Primary results' effect on Montgomery County ambulance fee unclear**

Rierner says he supports them in some cases

by Erin Cunningham | Staff Writer

Repeal of a countywide ambulance fee, which passed the Montgomery County Council by one vote, might not be a given — despite the fact two County Council supporters won't be returning to the governing body in the next term.

Those who favor repeal of the fee think they have the support of Hans Rierner, a Silver Spring Democrat who defeated one-term Councilwoman Duchy Trachtenberg (D-At large) of North Bethesda, a fee backer, in the Sept. 14 primary. However, Rierner says more study is needed.

Meanwhile, Del. Craig L. Rice (D-Dist. 15) of Germantown won the council seat in District 2, where Councilman Michael J. Knapp (D) of Germantown did not seek re-election.

Rierner and Rice are expected to win in the Nov. 2 general election in the heavily Democratic county. The volunteer firefighters, who are working to repeal the fee, endorsed both in the primary.

The council voted 5-4 in May to charge fees of between \$300 and \$800, depending on the amount of care needed, for rides in a county ambulance. The insurance companies of patients will be billed, supporters say. The same will apply to Medicare and Medicaid patients, with the federal or state government getting the bill.

Out-of-county residents without insurance will receive a bill, but the fee will be waived for those who cannot afford it.

No county resident will receive a bill, said county spokesman Patrick K. Lacefield.

The council members who supported ambulance fees were Trachtenberg, Knapp and Democratic at-large members Marc Elrich of Takoma Park, George L. Leventhal of Takoma Park and council President Nancy M. Floreen of Garrett Park. Councilmen Philip M. Andrews (D-Dist. 3) of Gaithersburg and Roger Berliner (D-Dist. 1) of Potomac, council Vice President Valerie Ervin (D-Dist. 5) of Silver Spring and Councilwoman Nancy Navarro (Dist. 4) of Silver Spring were opposed.

The county's volunteer firefighters initiated a petition drive to leave it up to voters in November to decide whether to keep the fees. The county's Board of Elections ruled the

firefighters did not gather enough valid signatures based on a new interpretation of state law.

The firefighters filed a lawsuit last month in regard to the decision, and the legal battle is under way.

On Tuesday, Montgomery County Circuit Court Judge Robert A. Greenberg rejected arguments that the volunteer firefighters association lacked standing to sue because they were not aggrieved. Greenberg's decision allows the case, expected to continue for several days, to proceed.

If the lawsuit fails, however, Andrews, the council's most vocal opponent of ambulance fees, said he will introduce legislation to repeal the fees.

Andrews and the county's Volunteer Fire and Rescue Association say Rice and Riemer would vote in favor of repeal. The firefighters issued a release saying that if Rice, Riemer and the four incumbents who voted against the fees win in November, six of nine council members would be on record opposing ambulance fees.

Rice has made his view clear, telling the volunteers in a questionnaire seeking the association's endorsement, "I oppose the ambulance fee, would have opposed it on the council, have signed a petition to send it to referendum, and will vote to repeal it in November."

As for Riemer, he told the association he opposes fees charged to patients, but told The Gazette that it is unclear whether the county's fee structure currently in place charges patients.

"A resident who needs to call an ambulance clearly is in a difficult situation, and the county should not pass fees directly on to these individuals," he wrote in the association questionnaire.

"Passing these fees directly on to nonresidents is wrong for the same reason, and because many of these callers work in Montgomery County and support our economy. Revenue recovery passed directly to patients is an idea I cannot support."

On Monday, Riemer said his position on the fees is clear: "I support ambulance fees when they are paid by insurance companies and oppose them when paid by patients."

On Andrews' anticipated bill to repeal the fees, Riemer said he would not comment on a bill that he hasn't seen.

On Tuesday, Eric N. Bernard, executive director of the Volunteer Fire-Rescue Association, said it was his understanding that Riemer would not support the county's current ambulance fee bill and would vote to repeal it.